

12-15-04

JPA

BAKER BOTTs LLP

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TRANSMITTAL FORM

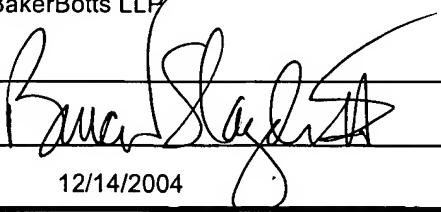
(to be used for all correspondence after initial filing)

		Application Number	10/667,777
		Filing Date	09/22/2003
		First Named Inventor	Chemisky et al.
		Group Art Unit	2834
		Examiner Name	Budd, Mark Osborne
Total Number of Pages in This Submission		Attorney Docket Number	071308.0474

ENCLOSURES (check all that apply)

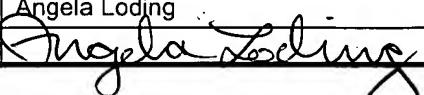
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 
Signature	Att Name: Bruce W. Slayden II PTO Reg: 33,790
Date	12/14/2004

CERTIFICATE OF MAILING

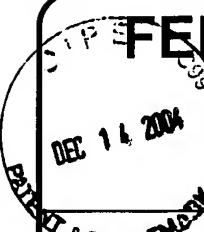
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313 on: 12/14/2004

Typed or printed name	Angela Loding	Date	12/14/2004
Signature			

FEET TRANSMITTAL

for FY 2004

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT

(\$ 700)

Complete if Known

Application Number	10/667,777
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First Named Inventor	Chemisky et al.
Examiner Name	Budd, Mark Osborne
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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name **Baker Botts LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
300	150	Utility filing fee	<input type="text"/>
200	100	Design filing fee	<input type="text"/>
200	100	Plant filing fee	<input type="text"/>
300	150	Reissue filing fee	<input type="text"/>
200	100	Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	22	20 ** = 2 <input type="text"/> x 50 = <input type="text"/>	100
Independent Claims	6	3 ** = 3 <input type="text"/> x 200 = <input type="text"/>	600
Multiple Dependent			<input type="text"/>

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
50	25	Claims in excess of 20
200	100	Independent claims in excess of 3
360	180	Multiple dependent claim, if not paid
200	100	** Reissue independent claims over original patent
50	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 700)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	<input type="text"/>
50	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
130	130	Non-English specification	<input type="text"/>
2,520	2,520	For filing a request for ex parte reexamination	<input type="text"/>
920*	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
1,840*	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
120	60	Extension for reply within first month	<input type="text"/>
450	225	Extension for reply within second month	<input type="text"/>
1020	510	Extension for reply within third month	<input type="text"/>
1,590	795	Extension for reply within fourth month	<input type="text"/>
2,160	1,080	Extension for reply within fifth month	<input type="text"/>
500	250	Notice of Appeal	<input type="text"/>
500	250	Filing a brief in support of an appeal	<input type="text"/>
1,000	500	Request for oral hearing	<input type="text"/>
1,510	1,510	Petition to institute a public use proceeding	<input type="text"/>
500	250	Petition to revive - unavoidable	<input type="text"/>
1,500	750	Petition to revive - unintentional	<input type="text"/>
1,400	700	Utility issue fee (or reissue)	<input type="text"/>
800	400	Design issue fee	<input type="text"/>
1,000	550	Plant issue fee	<input type="text"/>
130	130	Petitions to the Commissioner	<input type="text"/>
50	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
180	180	Submission of Information Disclosure Stmt	<input type="text"/>
40	40	Recording each patent assignment per property (times number of properties)	<input type="text"/>
790	395	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
790	395	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
790	395	Request for Continued Examination (RCE)	<input type="text"/>
900	900	Request for expedited examination of a design application	<input type="text"/>

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Bruce W. Slayden II	Registration No. (Attorney/Agent)	33,790	Telephone	512.322.2606
Signature	<i>Bruce W. Slayden II</i>			Date	12/14/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

ATTORNEY DOCKET
071308.0474

PATENT APPLICATION
10/667,777

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 14 2004
PATENT AND TRADEMARK OFFICE
In re Application of:

Serial No.:

Eric Cheminsky et al.

10/667,777

Date Filed:

September 22, 2003

Group Art Unit:

2834

Examiner:

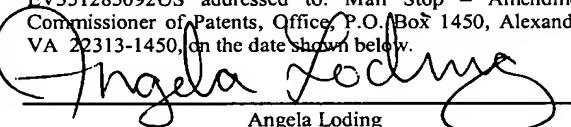
Budd, Mark Osborne

Title:

DEVICE TO CONTROL A PIEZOELECTRIC
ACTUATOR

MAIL STOP – AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV351285092US addressed to: Mail Stop – Amendment, Commissioner of Patents, Office P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.


Angela Loding

December 14, 2004

Date

Dear Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed October 4, 2004, Applicants respectfully submit the following amendments set forth below and request favorable action thereon.

Amendments to the Specification begin on page 2 of this paper.

Amendments to Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.

12/16/2004 NNGUYEN1 00000070 10667777

01 FC:1201
02 FC:1202

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100.00 0P